

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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Date 7-16-04  
By [Signature]  
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IN RE COLUMBIA UNIVERSITY PATENT  
LITIGATION

No. 04-MDL-01592

APPENDIX TO MEMORANDUM IN SUPPORT OF  
PLAINTIFFS' MOTION FOR LIMITED DISCOVERY RELEVANT TO  
THE ISSUE OF NON-STATUTORY DOUBLE PATENTING  
[REDACTED]

U.S. DISTRICT COURT  
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### Declaration of Carla M. Levy

Tab 1. Excerpts from the transcript of the June 22, 2004 hearing in Biogen, Inc. et al. v. Columbia University, CA 03-11329 (D. Mass.).

Tab 2.

**REDACTED**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE COLUMBIA UNIVERSITY PATENT  
LITIGATION

No. 04-MD-01592

DECLARATION OF CARLA M. LEVY

I, Carla M. Levy, declare as follows:

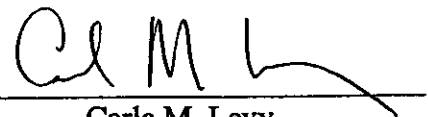
1. I am an attorney licensed to practice in the Commonwealth of Massachusetts. I am associated with the law firm of Foley Hoag LLP in Boston, Massachusetts, Counsel for Biogen Idec MA Inc. and Genzyme Corporation. I base this declaration on my personal knowledge unless otherwise stated.
2. Attached at Tab 1 is a true and correct copy of excerpts from the transcript of the hearing in Biogen, Inc. et al. v. Columbia University, CA 03-11329 (D. Mass.), which took place in Boston, Massachusetts on June 22, 2004.

3.

**REDACTED**

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: July 16, 2004

  
Carla M. Levy